

### **Remarks**

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated May 14, 2004, indicated that the Specification is objected to; the drawings are objected to; and claims 1-10 are rejected under 35 U.S.C. § 103(a) over *Johnson* (U.S. Patent No. 5,661,751) and further in view of *Wegner et al.* (U.S. Patent No. 5,649,122).

With respect to the apparent objection to the Abstract, Applicant is confused as to the basis for the objection and requests further clarification. Paragraph 2 of the Office Action indicates that the Abstract is objected to, and cites a portion of the Specification (page 6, line 19) that is not located in the Abstract. Changes to this cited portion would not affect the Abstract in any manner. Thus, Applicant traverses the objection to the Abstract and requests further clarification and an opportunity to respond thereto, and/or removal of the objection.

With respect to the objections to the Specification, Applicant has amended the objected-to paragraphs in accordance with the Examiner's suggestions and requests that the objections be removed.

With respect to the Drawings, Applicant has amended Figure 1 to change the label of the input port for TL2 to "CLK1." Applicant believes the objection is overcome and requests that the rejection be removed.

Applicant respectfully traverses the Section 103(a) rejection because the Office Action fails to present a combination of references that corresponds to the claimed invention. The Office Action fails to identify a reference that teaches a clock control circuit adapted to provide a power-reduced UART mode where the serial communication circuit is adapted to continue communication of serial data at a second rate. The Office Action acknowledges at the bottom of page 3 that when the '751 UART is in decreased power consumption mode, it is not receiving, processing or transmitting data. *See* column 4, lines 55 *et seq.* As discussed below, this is the entire purpose of the '751 reference: the alleged invention is a clock control circuit that prevents power being wasted when the UART is idle by shutting down the UART unless predetermined system activity is detected. *See* col. 1, lines 58-61; and col. 2, lines 10-16. Further, the relied upon '122 clock control circuit is

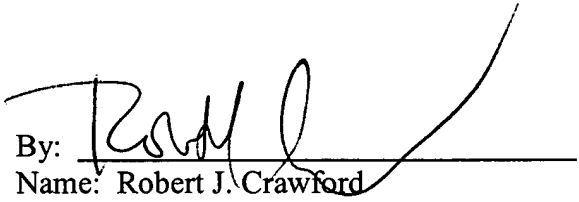
adapted to place a UART into “sleep mode” where the UART is powered down except for the logic circuits which detect the conditions for which the UART resumes normal activities. *See* col. 7, lines 47-52. Neither of the cited references teach a UART continuing communication in a power-reduced state, as claimed, and therefore the proposed combination also fails to teach such limitations. Without a presentation of correspondence to each of the claimed limitations, the Section 103(a) rejection is improper and cannot be maintained. Applicant accordingly requests that the rejection be withdrawn.

The proposed modification of the ‘751 reference is also improper because the combination of the cited references would frustrate the purpose and operation of the ‘751 reference. The MPEP states that when a proposed modification would render the teachings being modified unsatisfactory for their intended purpose, then there is no suggestion or motivation to make the proposed modification under 35 U.S.C. § 103(a). *See* MPEP § 2143.01. The ‘751 reference is directed to a clock control circuit that maintains the UART in a completely idle state until a certain predetermined system activity is detected in order to prevent wasting power. *See* col. 2, lines 6-13. The Office Action proposes replacing this clock control circuit with the clock control circuit taught by the ‘122 reference. This proposed replacement would eliminate the alleged invention (clock control circuit) of the ‘751 reference. Moreover, the “sleep mode” of the ‘122 clock control circuit would maintain operation of the UART (the logic circuits which detect the conditions for which the UART resumes normal activities) directly contradicting the purpose of the ‘751 reference to prevent wasting power. *See* ‘122 reference, col. 7, lines 47-52. To suggest replacing the ‘751 clock control circuit would undermine the purpose of the ‘751 reference by failing to prevent the waste of power and undermine the operation by failing to provide the complete idle state desired by the ‘751 reference. Thus, the proposed modification is improper as it would undermine both the purpose and operation of the ‘751 reference. Applicant accordingly requests that the rejection be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Mr. Peter Zawilski, of Philips Corporation at (408) 474-9063.

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